

BILL NO. Z-72-03- 15

ZONING MAP ORDINANCE NO. Z- Withdrawn

AN ORDINANCE amending the City of Fort
Wayne Zoning Map No. C-10.

BE IT ORDAINED BY THE COMMOUN COUNCIL OF THE CITY OF FORT WAYNE,
INDIANA:

SECTION 1. That the area described as follows is hereby
designated an R-3 District under the terms of Chapter 36, Municipal
Code of the City of Fort Wayne, Indiana, 1946, as amended by
General Ordinance No. 2836 and amendments thereof; and the symbols
of the City of Fort Wayne Zoning Map No. C-10 referred to therein,
established by Section 9, Article III of said Chapter as amended,
are hereby changed accordingly, to-wit:

Lots Number 4, 5 and 6 in Squire's Second Addition,
being a Subdivision of part of the Southeast Quarter
of the Southeast Quarter of Section 24, Township 30
North, Range 12 East, according to the plat thereof,
recorded in Plat Book 18, page 6, in the Office of
the Recorder of Allen County, Indiana;

SECTION 2. This Ordinance shall be in full force and
effect from and after its passage and approval by the Mayor and
legal publication theoreof.

Eugene Krausk.
Councilman

PROVED AS TO FORM
LEGALITY

Wm. B. Cole
CITY ATTORNEY

Read the first time in full and on motion by _____ seconded by _____

Hinga and duly adopted, read the second time by title and referred to the Committee on Regulations (and to the City Plan Commission for recommendation) (and ~~Public Hearing to be held after due legal~~ notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on the _____ day of _____ 19____, at _____ o'clock P.M., E.S.T.

Date: March 28, 1972

Charles W. Schusterman
CITY CLERK

Read the third time in full and on motion by _____

seconded by _____ and duly adopted, placed on its passage.

Passed (LOST) by the following vote:

	AYES _____	NAYS _____	ABSTAINED _____	ABSENT _____ to-wit:
Burns	_____	_____	_____	_____
Hinga	_____	_____	_____	_____
Kraus	_____	_____	_____	_____
Nuckols	_____	_____	_____	_____
Moses	_____	_____	_____	_____
Schmidt, D.	_____	_____	_____	_____
Schmidt, V.	_____	_____	_____	_____
Stier	_____	_____	_____	_____
Talarico	_____	_____	_____	_____

Date _____
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana as (Zoning Map) (General) (Annexation) (Special) (Appropriation) Ordinance (Resolution) No. _____ on the _____ day of _____, 19____.

ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____-at the hour of _____ o'clock ____M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____ at the hour of _____ o'clock _____m., E.S.T.

MAYOR

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, The Common Council of the City of Fort Wayne, Indiana on March 28, 1972, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-72-03-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and

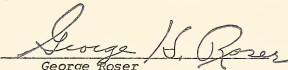
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 15, 1972;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 22, 1972.

Certified and signed this
6th day of June 1972.


George H. Roser
Secretary

1.
Bill No. Z-72-03-15

REPORT OF THE COMMITTEE ON REGULATIONS

We, your Committee on Regulations to whom was referred an Ordinance

amending the City of Fort Wayne Zoning Map

No. C - 10

have had said Ordinance under consideration and beg leave to report back to the Common
Council that said Ordinance be withdrawn

Eugene Kraus, Jr. - Chairman

James S. Stier - Vice-Chairman

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

Eugene Kraus, Jr.

James S. Stier

William T. Hinga

Paul "Mike" Burns

Vivian G. Schmidt

DATE 6-13-72 CHARLES W. WESTERMAN, CITY CLERK

RECEIPT

No 120

GENERAL FUND

FT. WAYNE, IND.,

March 1 1972

RECEIVED FROM

Harold J. Kiehn\$ 50.00

THE SUM OF

Fifty and 00/100

100

DOLLARS

ON ACCOUNT OF

Spring petition from R-1 District to R-3 District
into 4th Civil DivisionMark Stebbins
AUTHORIZED SIGNATURE

										BIB												
RI		14					15		24				25		34							
		13					16		23				26		33							
		12					17		22				27		32							
		11			RI		18		21				28		31							
		10			SQUIRES		19		20				29		30							
		9			8		7															
					STREET						(VACATED)		STREET									
							C		5		4		LILLIE		BIB		3		2		1	
PAULDING										ROAD												
12 RA 11 10 9 SYLVAN										8 RA 7 6 5 4 3 2 1 PARK												
15 SYLVAN 16 17 18 RA 19 20 AMENDED ADD.										21 PARK 22 RA 23 24 ADD. 25 26 SECT. A 27 28												
WINTER										ANTHONY												

C- CHANGE FROM RI TO R3

2-72-03-15

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

BEFORE THE COMMON COUNCIL OF
THE CITY OF FORT WAYNE,
ALLEN COUNTY, INDIANA

TO: THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA:

We, the undersigned, being the owners of the following described
real estate located in Allen County, State of Indiana, to wit:

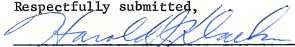
Lots Number 4, 5 and 6 in Squire's Second Addition,
being a Subdivision of part of the Southeast Quarter
of the Southeast Quarter of Section 24, Township 30
North, Range 12 East, according to the plat thereof,
recorded in Plat Book 18, page 6, in the Office of
the Recorder of Allen County, Indiana;

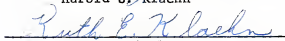
which is now situated in an R-1 District, respectfully petitions the Common
Council of the City of Fort Wayne, Allen County, Indiana, to change the
zoning of said tract from an R-1 District to an R-3 District.

Your Petitioners would further show the Council that the change of
zone would be consistent with the character of the surrounding neighborhood
and would be for the best interest and the general welfare of the immediate
community.

WHEREFORE, your Petitioners respectfully request this Council to
change the zoning of said tract to an R-3 District.

Respectfully submitted,


Harold J. Klaehn


Ruth E. Klaehn

OK DeMear
March 3, 1972

Book Page C-10

CITY PLAN COMMISSION
City-County Building
One Main Street
Fort Wayne, Indiana

Mr. Ralph Blume
344 Utility Building
Fort Wayne, Indiana 46802

Dear Ralph:

The forwarding of this petition to rezone was delayed because of the existing requirement for a thorough check of the description by the City Engineering Department.

We received this petition on March 1, 1972.

It would be appreciated if this petition could be assigned a Bill Number in the order that the request came to us.

Sincerely,

CITY PLAN COMMISSION

Marshall Snyder
Marshall Snyder
Draftsman

MS:mo

Received 5-12-72

May 8th, 1972

City Plan Commission

City-County Bldg.

Fort Wayne, Ind.

Attention: Bill Jones

Dear Bill:

I received notice dated May 5th regarding changing description from R1 District to R3 District on lots 4, 5 & 6 of Squires Second Addition located northeast corner of Winter & Paulding Road.

While Anthony Boulevard from McKinzie to Tillman Road is now almost all commercial why must we now open up Paulding Road which is a part of the Burr Field thruway making it a sort of another N.S. To Bypass blunder.

This party has tried several times to get this particular

parcel rezoned and was turned
down each time.

Sincerely,

Ralph W. Ebert

1523 Paulding Road.

Lot 3 Squires Second Addition.

P.S. You will probably remember
me as connected with the old
Nickel Plate Road as Traffic Rep.

May 11, 1972

City Plan Commission
City-County Building
One Main Street
Fort Wayne, Indiana

Dear Sirs:

We are the owners of the home located directly across Paulding Rd. from the area that is being proposed for an "R3" District, Multiple-family Residential zoning.

We are firmly opposed to this proposal for the simple reason that this zoning would create much more confusion and traffic problems plus the over-crowdness of residents in such a small area.

We are being over-crowded now, with business's and additional families moving into the neighborhood, plus the additional traffic that has been directed to the Paulding Rd.

We also feel that this would be an unjust move for we people who have built permanent residents in this location to have the neighborhood destroyed and over-crowded (with renters) after we have been located there for years, paying high taxes and trying to keep the area clean & beautiful.

A multiple family unit would also create additional problems since we have both colored and white in the neighborhood (just recently) living so close.

I therefore recommend that this proposal of re-zoning the area be stricken from the records.

Very truly yours,

Mr. & Mrs. Herbert W. Brown

1610 Paulding Road

Fort Wayne, In. 46816

WAIVER OF RESTRICTIONS

WHEREAS, the undersigned are owners of the real estate, designated opposite their signatures below, in Squire's Second Addition, being a Subdivision of part of the Southeast Quarter of the Southeast Quarter of Section 24, Township 30 North, Range 12 East, according to the plat thereof, recorded in Plat Book 18, page 6, in the office of the Recorder of Allen County, Indiana; and

WHEREAS, the plat of said Addition, as recorded, contains the following restriction: "All lots excepting Lots 1, 2 and 3, are to be used for residential purposes only"; and

WHEREAS, it is proposed by HAROLD J. KLAHN and RUTH E. KLAHN, husband and wife, owners of Lots 4, 5 and 6 in said Squire's Second Addition, to cause to be constructed upon said lots, a dental clinic, for occupancy and operation by two or more dentists or dental surgeons; and

WHEREAS, the undersigned feel that the operation of such a dental clinic would be advantageous to the general neighborhood and are willing to waive the above restriction to permit the installation and operation of a dental clinic upon said lots.

NOW, THEREFORE, in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the undersigned do hereby waive said residential restriction for Lots 4, 5 and 6 in Squire's Second Addition for the purpose of permitting the installation and operation of a dental clinic thereon

and do hereby consent and agree that such a residential restriction shall no longer apply and be of no further force and effect with reference to said lots 4, 5 and 6.

Property Owners

Squire's Second Addition

Lots 4 - 5 - and 6

Harold J. Klaehn

1600 E. Paulding Road

Ruth E. Klaehn

Lot 7

Ralph A. Ebert

1523 E. Paulding Road

E. M. Ebert

Lots 8 and 9

1515 E. Paulding Road

Edmund J. O'Connor

Clio's, Inc.

Ingle & O'Connor, Optometrists

Lot 10

5726 Winter St.

Joye E. (Shroyer) Madden

Richard Madden

Richard Madden

Lot 11

5706 Winter Street

Marlin J. Keidel

Gerald Ellis (Contract Buyer)

Lot 12

5630 Winter Street

Charles H. Powell

T. G. Powell

Gary D. Litke

Lot 13

5620 Winter Street

Gloria J. Litke

Property Owners

Raymond J. Zimski
Raymond J. Zimski

Lot 14

Josephine Zimski
Josephine Zimski

5610 Winter Street

Jethro Thompson, Jr.
Jethro Thompson, Jr.

Lot 15

M. H. Thompson
M. H. Thompson

5607 Winter St.

Tom L. Van Houten
Tom L. Van Houten

Lot 16 and 17

Betty J. Van Houten
B. J. Van Houten

5619 Winter Street

Milton Geschwell
Milton Geschwell

Lot 18

Betty A. Geschwell
Betty A. Geschwell

5705 Winter Street

Rev. Roger L. Hochstetler
Rev. Roger L. Hochstetler

Lot 19

Glenn N. Hochstetler
Glenn N. Hochstetler

5715 Winter St.

Harold J. Klaehn
Harold J. Klaehn

Lots 20 - 21 - 22 and 23

Ruth E. Klaehn
Ruth E. Klaehn

Lillie Street

Harold J. Klaehn
Harold J. Klaehn

Lot 24

Ruth E. Klaehn
Ruth E. Klaehn

5606 Lillie Street

Klaehn Realty, Inc.

Harold J. Klaehn - President
(Klaehn South Anthony Chapel)

Lots 25 - 26 - 27 - 28 - 29 - 30
31 - 32 - 33 - and 34

5700 So. Anthony

0470

WINTER STREET

-E. PAUL-DING--ROAD

STREET

ROAD

[illegible]

252
485
BIB

15	24
16	23
17	22
18	21
19	20

SECOND

To

(R-3)

25	34
26	23
27	32
28	31
29	30

3-B-1-B

[illegible]

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0 1 2 3 4 5 6 7 8 9

RA

ADDITION

SECT. A.

1-D
2

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SYLVAN									
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40	41	
30	42	
30	43	PARK

100

(R-A)

WYER

6.7 6.55

THURE

6.25 6.50

50

50

PA

B-1

5

1

Withdrawn

LAW OFFICES

SHOAFF, KEEGAN, BAIRD & SIMON

2400 FORT WAYNE NATIONAL BANK BUILDING

FORT WAYNE, INDIANA

46802

FRED B. SHOAFF
1877-1961

AREA CODE 219
TELEPHONE
743-8123

JOHN D. SHOAFF
ROBERT Y. KEEGAN
RICHARD F. BAIRD, JR.
CLIFFORD E. SIMON, JR.
GEORGE T. DODD
THOMAS M. SHOAFF
THOMAS M. MOORHEAD

May 31, 1972

Fort Wayne City Council
City-County Building
Fort Wayne, Indiana

Attention: Mrs. Vivian Schmidt, Chairman
Zoning Committee

Dear Mrs. Schmidt:

The Fort Wayne City Plan Commission gave a "do not pass" recommendation to a Zoning Petition which we presented at the May meeting on Bill No. Z-72-03-15.

Our clients have determined not to proceed further with the matter and have requested us to withdraw that Petition for consideration by the City Council. Please consider this the formal request of Harold J. Klaehn, the Petitioner, to withdraw Bill No. Z-72-03-15 from consideration by the City Council.

Very truly yours,

SHOAFF, KEEGAN, BAIRD & SIMON

Clifford E. Simon
Clifford E. Simon, Jr.

CESjr/swm

CC: Mr. Gary Baeten